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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/490,113	01/24/2000	Takao Shimamura	P7156-9070	6740

4372 7590 10/20/2004

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EXAMINER

COLON, ROCIO

ART UNIT

PAPER NUMBER

2651

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/490,113	Applicant(s) SHIMAMURA ET AL.	
	Examiner Rocio Colon	Art Unit 2651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE Filed on 5/11/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,4,5 and 7-25 is/are allowed.
- 6) ☒ Claim(s) 2 and 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikedo et al. (USPN 4,969,138).

Regarding claim 2, Ikedo et al. disclose a carrier mechanism (as depicted in Fig. 6) having accommodating means (element 8 in Fig. 1) and carrier means (element 56 in Figs. 6, 9 and 10, for carrying out positioning between said accommodating means and said carrier means, to thereby insert an object carried from said carrier means into said accommodating means or take said object accommodated in said accommodating means, out of said accommodating means to said carrier means (see column 8, line 36 to column 9 line 64), said carrier mechanism comprising:

 biasing means (element 65 in Figs. 6, 9 and 10- see column 8 line 40 to column 9 line 3) for biasing said carrier means in a predetermined direction;

 driving means (element 62 in Fig. 6 and column 8 lines 50-62) for moving said carrier means; and

 control means (as depicted in Fig. 22 and column 14, lines 42-52) operable when said carrier means is moved to a desired position in a biasing direction of said biasing means, for controlling said driving means so as to move said carrier means to a position

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in excess of said desired position and then to move said carrier means to said desired position while opposing a biasing force of said biasing means.

Regarding claim 3, Ikedo et al. disclose the control means controls said driving means so as to move said carrier means to said desired position without exceeding said desired position while opposing said biasing force of said biasing means, when said carrier means is moved to said desired position in a direction opposite to said biasing direction of said biasing means (column 14, lines 30-52).

Allowable Subject Matter

3. Claims 1 and 4-5 and 6-25 are allowed.

Regarding claims 1 and 15, the primary reason for allowance is the inclusion of the control means adjusts a quantity of said minute adjustment of said carrier means by said driving means, based on a remaining distance between a current position of said carrier means and said desired position.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rocio Colon whose telephone number is (703) 305-3947. The examiner can normally be reached on Mon-Thu 8:00a.m.-6:30p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (703)305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TCV

October 18, 2004


SINH TRAN
PRIMARY EXAMINER